



Policy: 1160
Chapter: Inspections and Investigations
Rule: Administrative Investigations

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A.R.S.	A.C.A.	A.A.C
§§41-2804, 13-3620, 15-514, 41-770, 41-1750(G), 41- 2814(H) 13-2514, 13-2501	3-JTS-1C-15	

To ensure the integrity of the Department while protecting the rights and interests of private citizens, juveniles, and Department employees, it shall be the policy of the Arizona Department of Juvenile Corrections (ADJC) to require an appropriate investigation of all complaints, including anonymous complaints, against the Department or its employees.

The Professional Standards Unit (PSU) assigned to the Inspections and Investigations Division (IID), shall investigate serious acts of misconduct (defined in this policy) involving juveniles, employees, volunteers, interns, and service providers under contract with ADJC. Employees, volunteers, juveniles, interns, and service providers under contract with ADJC shall cooperate fully with the Professional Standards Unit, Criminal Investigative Unit, and/or a law enforcement agency and assist in any investigation.

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Michael D. Branham, Director

Procedure and Form Index:

Procedure Number:

1160.01	Administrative Investigations
1160.02	Notification Requirements for Employee Arrest or Indictment

Form Number

1160.01A	Notice of Investigation/Garrity Warning
1160.01B	Employee Interview Representative Guidelines Memorandum
1160.01C	Polygraph Instruction Letter
1160.01D	ADJC Administrative Incident/Investigative Report
1160.01E	Administrative Investigation Extension Request
1160.02A	Confidential Notification of Employee's Arrest, Indictment, or Criminal Summons Memorandum

Definitions:

1. **Administrative Investigation** – A comprehensive query into a complaint or allegation conducted by an assigned supervisor or by the Professional Standards Unit into the actions or behavior of an employee.

2. **Administrative Investigation Extension Memorandum** – A written request for an extension to complete an administrative investigation. This extension memorandum shall become part of the administrative investigation.
3. **Brady List** – An integrity list containing names of employees in the Youth Correctional Officer series, in the Youth Program Officer series, the Security Officer series and Administrators who have been disciplined for integrity violations. This list is given to the County Attorney who discloses the names to other trial attorneys.
4. **Call Back** - The ADJC Director or designee may approve the time a covered and/or non-exempt uncovered employee is called into work before or after his/her standard workday (not a continuation of the shift) or during a regular day off and the employee is not already at the work site.
5. **Complaint Receipt Acknowledgment Letter** – A written acknowledgment of the complaint, that will be provided to the complainant.
6. **Complaint Response Letter** – A written notification of the investigative findings from an administrative investigation, which will be provided to the complainant.
7. **Control number** – The number assigned to a Departmental administrative investigation. This number shall be obtained from the Professional Standards Unit.
8. **Criminal Investigation** – An investigation into an incident that is a violation of Federal, State, and/or local laws.
9. **Criminal Offense** - Conduct that gives a peace officer or prosecutor probable cause to believe that a felony or a misdemeanor involving physical injury, the threat of physical injury, or a sexual offense has occurred.
10. **Duty Officer** – A weekend and/or night administrator or higher who is designated to make operational or procedural decisions.
11. **Garrity Warnings** – Admonishments given to an employee in an administrative investigation that:
 - a. S/he will be asked to answer questions related to official duties or the complaint under investigation;
 - b. Failure or refusal to do so will subject the employee to Departmental charges and discipline up to and including termination of employment; and
 - c. Neither any statement given, nor information or evidence gained from it can be used in any criminal proceeding against the employee but may be used against the employee in any subsequent administrative charges;
 - d. S/he has the right to representation by an agency employee to be present during questioning who would be a nonparticipating representative.
12. **Internal Complaint** - Allegations made by an employee directed at specific misconduct on the part of another employee.
13. **Notice of Investigation (NOI)** – A written memorandum that informs the employee of the specific nature of the investigation and the employee's status in the investigation.
14. **Primary Investigator** – Designated lead investigator.
15. **Surveillance** - The continuous or periodic watching of persons, vehicles, places, or objects. Neither the routine observation of individuals or groups acting in a suspicious manner, nor the

photographing and visual monitoring of events for safety, historical or training purposes constitute surveillance.

16. **Truth Verification Examination** - An examination utilizing a validated instrument and/or investigative technique such as the polygraph or Computer Voice Stress Analysis to assist in verifying the integrity and accuracy of the information provided during an investigation.
17. **Victim** - A person against whom a criminal offense or delinquent act has been committed unless the person is killed or incapacitated. Then victim is also the person's spouse, parent, child, or other lawful representative unless that person is in custody for an offense or is the accused.